

REMARKS

Applicant submits this Amendment in reply to the Office Action mailed November 13, 2006.

As an initial matter, Applicant would like to thank the Examiner for indicating the allowance of claims 16, 18-23, 35, and 38, and the allowability of the subject matter of dependent claims 3, 5, 9, 28, 33, 51, and 60. Accordingly, Applicants have cancelled claims 2, 3, 33, 51, and 60, without prejudice or disclaimer, amended independent claims 1, 24, 43, and 52 to include the subject matter of dependent claims 3, 33, 51, and 60, respectively, and have rewritten the subject matter of dependent claim 9 into new independent claim 61. Accordingly, Applicants assert that independent claims 1, 24, 43, 52, and 61, and their respective dependent claims, are now in condition for allowance.

By this Amendment, Applicant has also added new claim 62. The originally-filed specification, drawings, and claims fully support the subject matter of new claim 62. No new matter has been introduced.

Before entry of this Amendment, claims 1-5, 7-10, 12-16, 18-24, 26-29, 31-39, 43, 45-53, and 55-60 were pending in this application. After entry of this Amendment, claims 1, 4, 5, 7-10, 12-16, 18-24, 26-29, 31, 32, 34-39, 43, 45-50, 52, 53, 55-59, 61, and 62 are now pending in this application. Claims 1, 16, 24, 43, 52, and 61 are the sole independent claims.

On pages 2-4 of the Office Action, claims 24, 26, 27, 29, 31, 32, 36, 52, 53, and 55-59 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2004/0186469 A1 to Woloszko et al. ("Woloszko").

Applicant has incorporated the subject matter of dependent claims 33 and 60 into independent claims 24 and 52, respectively. Claims 33 and 60 were indicated as containing allowable subject matter. Accordingly, this rejection is now moot, and Applicant respectfully requests withdrawal of the Section 102(e) rejection based on Woloszko.

On pages 5-9 of the Office Action, claims 1, 2, 4, 7, 8, 10, 12-15, 34, 37, 39, 43, and 45-50 were rejected under 35 U.S.C. 103(a) as being unpatentable over two or more of Woloszko, U.S. Patent Application Publication No. 2003/0216732 A1 to Truckai et al. ("Truckai I"), U.S. Patent Application Publication No. 2003/0220637 A1 to Truckai et al. ("Truckai II"), and U.S. Patent Application Publication No. 2003/0036747 A1 to le et al. ("le"). Applicant has incorporated the subject matter of dependent claims 3 and 51 into independent claims 1 and 43, respectively. Claims 3 and 51 were indicated as containing allowable subject matter. Accordingly, this rejection is now moot, and Applicant respectfully requests withdrawal of the Section 103(a) rejection based on two or more of Woloszko, Truckai I, Truckai II, and le.

Claims 4, 5, 7-10, 12-15, 18-23, 26-29, 31, 32, 34-39, 45-50, 53, 55-59, and 62 depend from one of independent claims 1, 16, 24, 43, 52, and 61, and are therefore allowable for at least the same reasons that each of the corresponding independent claims is allowable. In addition, each of the dependent claims recites unique combinations that are neither taught nor suggested by Woloszko, Truckai I, Truckai II, and le, and therefore are separately patentable.

In view of the foregoing remarks, Applicant submits that this claimed invention is neither anticipated nor rendered obvious in view of the prior art references cited against

this application. Applicant therefore requests the reconsideration and reexamination of the application, and the timely allowance of the pending claims.

The Office Action contains characterizations of the claims and the related art with which Applicant does not necessarily agree. Unless expressly noted otherwise, Applicant declines to subscribe to these or any other statement or characterization in the Office Action.


In discussing the specification and claims in this Amendment, it is to be understood that Applicant is in no way intending to limit the scope of the claims to any exemplary embodiments described in the specification or abstract and/or shown in the drawings. Rather, Applicant is entitled to have the claims interpreted broadly, to the maximum extent permitted by statute, regulation, and applicable case law.

Please enter any extension of time necessary to submit this Amendment, and charge any required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

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